

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

PROBATION OFFICE

MATTHEW L. THOMPSON

CHIEF PROBATION OFFICER

Thomas S. Foley

United States Courthouse

920 W Riverside, Room 540

PO BOX 306

SPOKANE, WA 99210-0306

(509) 742-6300 / fax (509) 742-6339

May 9, 2019

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 10, 2019

SEAN F. MCAVOY, CLERK

BRANCH OFFICES

FEDERAL BUILDING

25 S. 3rd Street, Room 326

PO BOX 1791

YAKIMA, WA 98907-1791

(509) 574-5535 / fax (509) 574-5539

FEDERAL BUILDING

825 Jadwin Ave, Suite 170

RICHLAND, WA 99352-0446

(509) 943-8130 / fax (509) 943-8139

REPLY TO Spokane

Honorable Rosanna Malouf Peterson

United States District Judge

Thomas S. Foley U.S. Courthouse

P.O. Box 1493

Spokane, WA 99210

RE: HARRIS, Derrick Emmit

Docket No.: 2:18CR00212-RMP-2

Charge: Count 3: 21 U.S.C. § 841(a)(1),

(b)(1)(C) – Distribution of a Mixture

Or Substance Containing Fentanyl

Request to Modify Condition of Pretrial

Release Supervision

Dear Judge Peterson:

On November 14, 2018, Mr. Harris appeared before the Honorable John T. Rodgers, U.S. Magistrate Judge, for an initial appearance. The Court detained Mr. Harris pending a detention hearing.

On November 19, 2018, Mr. Harris appeared before the Honorable Mary K. Dimke, U.S. Magistrate Judge, for a detention hearing. The Court released Mr. Harris under conditions of pretrial release supervision at that time. As a part of pretrial release supervision, the Court ordered Mr. Harris to be subjected to home detention with the use of location monitoring equipment.

On January 2, 2019, Mr. Harris appeared before the Honorable John T. Rodgers, U.S. Magistrate Judge, after a petition requesting a summons had been submitted alleging two violations of drug use (marijuana and oxycodone). Mr. Harris stipulated to the violations, and the Court continued Mr. Harris under conditions of pretrial release supervision.

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On April 18, 2019, Mr. Harris appeared before Your Honor and entered a guilty plea in the instant federal matter. Sentencing is scheduled for July 16, 2019.

The purpose of this letter is to request a modification of pretrial release supervision.

According to the release order dated November 19, 2018, special conditions #7 and #8 (ECF No. 18) require Mr. Harris to be subjected to global position system (GPS) monitoring and home detention. Mr. Harris has been subjected to GPS monitoring and home detention throughout his time under pretrial release supervision. He has complied with his conditions of GPS monitoring and home detention.

Aside from allegations of drug use at the beginning of pretrial release supervision, Mr. Harris has been in full compliance with the conditions imposed by the Court. He is currently residing with his family in Spokane, Washington, and attending substance abuse treatment through a local methadone program.

The undersigned officer contacted the assistant U.S. attorney and defense counsel. Neither party objects to the removal of special conditions #7 and #8.

Based on the information contained in this report, the undersigned officer respectfully recommends that special conditions #7 and #8 be removed from Mr. Harris' release order (ECF No. 18).

Should the Court have any further questions, please contact the undersigned officer.

Sincerely,

s/Erik Carlson 05/09/2019

Erik Carlson Date

U.S. Probation Officer

Approved By:

s/Jose Vargas 05/09/2019

Jose Vargas Date

Supervisory U.S. Probation Officer

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- ☒ Court orders the removal of special conditions #7 and #8
- ☐ Court denies the modification request
- ☐ Other



Signature of Judicial Officer

5/10/2019

Date